

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Attorney Docket SC10864TH

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below), of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR DATA ALLOCATION IN AN OVERLAP-ENABLED COMMUNICATION SYSTEM, the specification of which is attached hereto unless the following line is marked:

\_\_\_\_\_ Application was filed on \_\_\_\_\_  
as Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)		Priority Claimed
_____	_____	_____ Yes _____ No
(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____ Yes _____ No
(Number)	(Country)	(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

_____	_____
(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
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(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:


Harry A. Wolin, Reg. No. 32,638; James L. Clingan, Reg. No. 30,163; Robert L. King, Reg. No. 30,185; Paul J. Polansky, Reg. No. 33,992; M. Kathryn Braquet Tsirigotis, Reg. No. 34,127; George R. Meyer, Reg. No. 35,284; Lee E. Chastain, Reg. No. 35,479; Daniel D. Hill, Reg. No. 35,895; Susan C. Hill, Reg. No. 35,896; Keith E. Witek, Reg. No. 37,475; Jeffrey G. Toler, Reg. No. 38,342; Michael P. Noonan, Reg. No. 42,038; Joanna P. Gariazzo, Reg. No. 43,629; Robert A. Rodriguez, Reg. No. P-45,049; Steven G. Parmelee, Reg. No. 28,790; J. Ray Wood, Reg. No. 36,062; Daniel K. Nichols, Reg. No. 29,420.

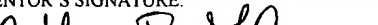
Direct all telephone calls to Mr. Jeffrey G. Toler at telephone no. (512) 996-6839.

Address all correspondence to Harry A. Wolin, Motorola, Inc., Austin Intellectual Property Law Section, 7700 West Parmer Lane, MD: TX32/PL02, Austin, Texas 78729.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR:	INVENTOR'S SIGNATURE	DATE:
Howard E. Levin	<i>Howard E. Levin</i>	8/23/99
RESIDENCE:	CITIZENSHIP:	
2103 Paramount Avenue, Austin, Texas 78704	United States	
POST OFFICE ADDRESS:		
Same as above		

FULL NAME OF SECOND INVENTOR: Kenneth J. Cavanaugh		INVENTOR'S SIGNATURE: 		DATE: 8/23/99
RESIDENCE: 10801 Grapevine Court, Austin, Texas 78739			CITIZENSHIP: United States	
POST OFFICE ADDRESS: Same as above				

FULL NAME OF THIRD INVENTOR:	INVENTOR'S SIGNATURE:	DATE:
Jeffrey P. Gleason		08/23/99
RESIDENCE:		CITIZENSHIP:
1417 Brighton Bend Lane, Cedar Park, Texas 78613		United States
POST OFFICE ADDRESS:		
Same as above		

FULL NAME OF FOURTH INVENTOR:  Peter R. Molnar		INVENTOR'S SIGNATURE:  <i>Peter R. Molnar</i>		DATE:  08/23/99
RESIDENCE:  1812 W. 37th Street, Austin, Texas 78731			CITIZENSHIP:  United States	
POST OFFICE ADDRESS: Same as above				